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December 13, 2005

#### HAND DELIVERED

David Butler, Hearing Examiner Public Service Commission of South Carolina Synergy Business Park, Saluda Building 101 Executive Center Drive Columbia, SC 29210

Comtel Telcom Assets LP & VarTec Telecom

Docket No. 2005-342-C Our File No. 30123-0001

Dear Mr. Terreni:

Enclosed for filing please find the Motion to Hold Hearing by Videoconference on behalf of Comtel Telecom Assets LP. Please date-stamp the extra copies of the motion provided as proof of filing and return them with our courier. If you have any questions, please have someone on your staff contact me.

Very truly yours,

ROBINSON, McFadden & Moore, P.C.

Bonnie D. Shealv

/bds Enclosure

cc/enc:

Mr. Charles Terreni, Chief of Staff of PSC (via hand delivery)

Dan F. Arnett, Chief of Staff of ORS (via email & U.S. Mail) Nanette S. Edwards, Staff Attorney ORS (via email & U.S. Mail) Florence P. Belser, General Counsel ORS (via email & U.S. Mail)

Mr. Jerry Ou (via U.S. Mail)

Ms. Becky Gipson, Director, Regulatory Affairs (via email)

Ms. Daphne Dukes, PSC (via email)

## BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

#### **DOCKET NO. 2005-342-C**

In re: Application of
COMTEL TELCOM ASSETS LP D/B/A )
VARTEC TELECOM,
CLEAR CHOICE COMMUNICATIONS,
EXCEL TELECOMMUNICATIONS AND
VARTEC SOLUTIONS
For a Certificate of Public Convenience
And Necessity to Provide Local and Interexchange)
Telecommunications Services, for
Flexible Regulatory Treatment, Alternative
Regulation, and for Authority to Acquire
Certain Assets of
VARTEC TELECOM, INC.,
EXCEL TELECOMMUNICATIONS, INC. AND
VARTEC SOLUTIONS, INC.

### MOTION TO HOLD HEARING BY VIDEOCONFERENCE

Pursuant to S.C. Code Section 58-9-1020 and the other applicable rules of the Public Service Commission of South Carolina ("Commission"), the Applicants respectfully request that the Hearing Examiner allow the hearing currently scheduled for Monday, January 9, 2006, at 11:30 a.m. at the offices of the Commission be held at Garber Reporting Service, 1226 Pickens St., Columbia, South Carolina 29201. Comtel and VarTec further request that the Hearing Examiner allow Comtel's witness, Jerry Ou, to appear by videoconference. In support of this motion, the Applicants respectfully state the following:

- 1. The Applicants' offices are located in Carrollton, Texas.
- 2. The Applicants filed the testimony of Jerry Ou in support of their

application.

3. Since the witness is located in Texas it would be an economic hardship for

Mr. Ou to travel to South Carolina to attend the hearing in person.

4. The Office of Regulatory Staff has indicated that it does not oppose the

use of videoconferencing for the hearing. There were no other intervenors in the

proceeding.

WHEREFORE, the Applicants, Comtel and VarTec, respectfully request that the

Commission issue an Order authorizing the use of videoconferencing to take the

testimony of Comtel's witness located in Texas and that the Commission allow the

hearing to be held at Garber Reporting Services to accommodate this request.

Respectfully submitted this 13 day of <u>December</u>, 2005.

ROBINSON, McFADDEN & MOORE, P.C.

By:

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Attorneys for Comtel Telcom Assets LP; VarTec Telecom, Inc.; Excel Telecommunications, Inc. and

VarTec Solutions, Inc.

# BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA DOCKET NO. 2005-342-C

In Re:	)
Application of	)
Comtel Telcom Assets LP, d/b/a	)
VarTec Telecom, Clear Choice	ĺ
Communications, Excel	í
Telecommunications and VarTec	í
Solutions	ĺ.
For a Certificate of Public	ĺ
Convenience And Necessity to	í
Provide Interexchange And Local	ĺ
Exchange Telecommunications	ĺ
Services, for Flexible Regulatory	ĺ
Treatment, Alternative Regulation,	ĺ
and For Approval to Acquire	í
Certain Assets of	ĺ
VarTec Telecom, Inc.; Excel	ĺ
Telecommunications, Inc. and	ĺ
VarTec Solutions, Inc.	)

**CERTIFICATE OF SERVICE** 

This is to certify that I, Lori W. Foy, a legal assistant with the law firm of Robinson, McFadden & Moore, P.C., have this day caused to be served upon the person(s) named below the **Motion to Hold Hearing by Videoconference** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, in an envelope addressed as follows:

Dan F. Arnett, Chief of Staff Nanette S. Edwards, Staff Attorney Florence Belser, General counsel Office of Regulatory Staff 1441 Main Street, 3rd Floor Columbia, SC 29201

Dated at Columbia, South Carolina this 13th day of December, 2005.

Lori W. Foy